REMARKS

This Response responds to the office action dated November 9, 2005.

The Examiner rejected claims 2, 3, 5-10, 12-26, 27-57 and 94-107 under 35 U.S.C. § 103(a) as being obvious in view of the combination of Sahai et al, U.S. Patent No. 6,594,699 (hereinafter Sahai) and Rangan et al., U.S. Patent No. 6,066,265 (hereinafter Rangan).

Independent claim 2, from which dependent claims 3, 5-10, and 12-20 depend, includes the limitations of "receiving a media attribute . . . describing the quality of encoding said at least one of audio, image, and video wherein said quality of encoding includes a first quality and a second quality" and "selecting either said first quality and said second quality based upon the type of semantic content of said at least one of said audio and video." Sahai discloses a system for streaming video-on-demand content to a user, at the request of the user. To provide for the receipt of the content by users across transmission routes of varying bandwidth, Sahai discloses that the video on demand content may be selectively provided at several qualities so that those users with restricted bandwidth may receive a lower quality signal while those users with high bandwidth may receive a higher quality signal. In order to distinguish among such users, Sahai discloses that the system server may test the capabilities of the user's hardware, e.g. CPU speed, operating system, memory, etc. Sahai also discloses that the server may note the specific content quality requested by the user, presumably so that a higher quality signal than that requested by a user will not be provided, even where the user's system can handle the additional bandwidth. Though Sahai contemplates providing video content at a selected one of a plurality of encoding qualities, Sahai does not disclose that the quality be selected "based upon the type of semantic content of at least one of said audio and video."

Rangan, conversely, discloses that video may be provided to a user with hyperlinks so that a user may navigate between videos or other content stored or transmitted live by a service provider. The system of Rangan specifically contemplates that (1) hyperlinks to advertisements may be displayed to a user on "hotspots" on a user interface so that a user may activate the hyperlink to navigate among videos/advertisements; and (2) thumbnails of frames of the video, taken at scene changes, may be displayed so that a user, by activating the

thumbnail, may begin recording a video segment at a time point prior to activation, i.e. a user may start recording a live segment even though the segment has already played. To these ends, Rangan discloses that hyperlinks to advertisements or other content, or thumbnail images representative of scene changes, presented on a screen to a user, may be customized to the semantic content shown. As a specific example, cited by the Examiner, Rangan states that during the sports segment of a live local television broadcast, an appropriate set of hyperlinks may be inserted at scene changes in the video stream, such as links to additional baseball, football, basketball and hockey content. *See* Rangan at col. 27 lines 4-20. Aside from the insertion of hyperlinks to advertisements tailored to the semantic content of the video, Rangan discloses no other relationship between the features of the disclosed system and the meaning of the content, i.e. semantic content, being delivered to the user. Thus, at best, Rangan discloses tailoring the hyperlinked advertisements or other videos to the semantic content of the video segments being contemporaneously streamed to the user.

The Examiner has not shown, or even alleged, that the combination of Sahai and Rangan discloses the claimed limitation of "selecting either said first quality and said second quality based upon the type of semantic content of said at least one of said audio and video." That Sahai discloses selecting a first or second quality of encoding based on the system capabilities of a user and/or the actual request of a user and that Rangan discloses selecting a presented advertisement or other hyperlinked video based on the semantic content of a provided video segment does not logically imply that the combination discloses selecting the encoding quality of Sahai based on the semantic content of Rangan. Stated more generically, if the first reference discloses making choice X (encoding quality) based on Y (user preferred quality/user system capabilities) and the second reference discloses making choice Z (hyperlink presentation selection) based on W (semantic content), the combination *does not* suggest making choice X (encoding quality) based on W (semantic content), which is the claimed limitation. To the contrary, the applicant does not believe that Rangan teaches anything that would be useful to the system of Sahai when determining the *encoding quality* at which to stream to the user.

Nor has the Examiner actually alleged that the combination teaches the limitation claimed by the applicant. In the present Office Action, at p. 4 lines 12-17, the Examiner asserts

that "it would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate the teaching of Rangan into the system of Sahai to provide techniques for semantic or scene changes compression (sic) of video data at dynamically changing rates, for accessibility to a wide variety of client devices or platforms and connections, including where the client's capacities are limited and also provide VCR-like function[ality] to enable the client to control the streaming video, as desired." This statement does not allege that the combination would produce the limitation claimed - "selecting either said first quality and said second quality based upon the type of semantic content of said at least one of said audio and video."

The Examiner seems to be arguing that, in view of the two cited references, it would have been obvious to *modify Rangal* to provide its content at various qualities *as taught by Sahai*, including hyperlinked video tailored to the semantic content of the scenes being streamed. This allegation is irrelevant. The mere fact that assorted segments of streamed video are in some fashion hyperlinked to each other based upon the respective semantic content of the segments, where the streamed video may be provided at various qualities depending the system specification of a user and/or the user's request is not the same as selecting the quality of the streamed video based upon the semantic content of the video.

Therefore, the cited references, even in combination do not disclose the claimed limitation of "selecting either said first quality and said second quality based upon the type of semantic content of said at least one of said audio and video." Accordingly, the applicant respectfully requests that the Examiner withdraw the rejection of claims 2, 3, 5-10, and 12-20.

Independent claim 21 includes the limitation of "said system selectively encoding at one of a plurality of different qualities said received broadcast of said at least one of said audio and video for storage on said storage device based upon the semantic content of said at least one of said audio and video." Therefore, independent claim 21, as well as its dependent claims 22-30, distinguish over the cited combination for the same reasons as does independent claim 2, i.e. the cited combination would not use the semantic content of a video to determine the quality at which the video is encoded. The applicant again notes that the Examiner merely alleges that the combination would "provide techniques for semantic or scene changes compression of video data at dynamically changing rates, for accessibility to a wide variety of client devices or platforms and connections, including where the client's capacities are limited."

This is not what is claimed in the limitation recited above. Therefore the applicant respectfully requests that the Examiner withdraw the rejection of claims 21-30.

Similarly, independent claims 31, 38, 49, and 57 each respectively include either the limitation of "selecting one of said first or second qualities" (claim 31) or "providing a storage attribute of said preferences description describing the quality of encoding of said at least one of said audio and video" (claims 38, 49, and 57), "based upon the semantic content" of the audio and/or video. Therefore, each of claims 31-60 are distinguished over the cited references for the same reasons as in independent claim 2, and the applicant respectfully requests that the Examiner withdraw the rejection of these claims.

Independent claim 94 includes the limitations of "providing a preferences description, describing preferences of a user" and "providing a mode attribute of said preferences description describing the user's preferences with respect to at least one of: (i) a user-selected forward speed at which the system provides a fast forward presentation of said at least one of audio and video; and (ii) a user-selected reverse speed at which the system provides a fast reverse presentation of said at least one of audio and video." The cited combination does not disclose this limitation. The Examiner asserts that that claim 94 contains the same structural elements as previously discussed in the rejection of claim 31. When rejecting claim 31, however, the Examiner merely stated that claim 31 contains the same structural elements as previously discussed in the rejection of claim 2. The applicant notes that neither claim 2 nor claim 31 include the presently claimed limitation of "providing a mode attribute of said preferences description describing the user's preferences with respect to at least one of: (i) a user-selected forward speed at which the system provides a fast forward presentation of said at least one of audio and video; and a user-selected reverse speed at which the system provides a fast reverse presentation of said at least one of audio and video." Hence the Examiner's rejection s facially insufficient. The applicant further notes that Sahai discloses nothing about a mode attribute containing a user's preferences for either a user-selected fast forward or reverse speed. Similarly, though Rangan discloses a VOW VCR to record streamed and hyperlinked video segments, where the VOW VCR has the same functionality as existing VCRs, and thus allows fast-forwarding and rewinding of recorded content, nothing in Rangan discloses the claimed *mode attribute having a user's preference* with respect to either one of a fast forward

speed or a reverse speed. Therefore, the applicant respectfully requests that the rejection of claims 94-103 be withdrawn.

The Examiner rejected claims 61-72 under 35 U.S.C. § 103(a) as being obvious in view of the combination of Sahai and Rangan with Fano, U.S. Patent No. 6,317,718. The Examiner's rejection is not responsive to applicant's last amendment, which added the limitations of "a storage medium selectively detachably insertable into a recording device suitable to record at least one of an audio and a video comprising a plurality of frames, said storage medium storing information comprising . . . a preferences description . . . where said description includes multiple attributes, . . . a time attribute of said preferences description" wherein "said storage medium interacts with said recording device when inserted in said storage medium to obtain said at least one of an audio and a video." None of the underlined limitations are alleged to be disclosed by any cited reference. Therefore, the Examiner's rejection is improper. The applicant therefore respectfully requests that the rejection of these claims be withdrawn.

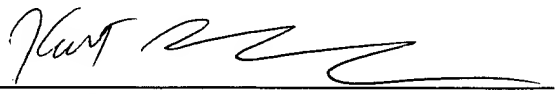
Similarly, the Examiner's rejection of claims 73-79 and 108-114 in view of the combination of Sahai, Rangan, and Barrett (U.S. Patent No. 6,616,876), and Sahai, Rangan, and Kanevsky (U.S. Patent No. 6,426,761), respectively, are not responsive to the applicant's last amendment, which added the limitations of "detachably inserting a storage medium into a multimedia device, said storage medium storing a preferences description" (independent claim 73) and "providing a preferences description on a storage medium detachably insertable into a multimedia device, said preferences description describing preferences of a user with respect to the use of said at least one of said audio and video" (independent claim 108). The applicant therefore respectfully requests that the rejection of these claims be withdrawn.

The Examiner rejected claims 89-93 under 35 U.S.C. § 103(a) as being obvious in view of the combination of Sahai and Rangan with Barrett, U.S. Patent No. 6,616,876. Independent claim 89 includes the limitations of "providing a preferences description, *describing preferences of a user* with respect to the use of said at least one of said audio and video" and a "content attribute *of said preferences description related to the semantic content of said at least one of audio and vided*" and "determining the number of layers of supplemental data auxiliary to said at least one of said audio and video *based at least in part upon said content attribute.*" Contrary to the Examiner's assertion, and as previously discussed in detail with respect to the Examiner's

rejection of claim 2, the combination of Sahai and Rangan neither discloses the claimed "content attribute of said preferences description related to the semantic content of said at least one of audio and video" nor "determining the number of layers of supplemental data auxiliary to said at least one of said audio and video based at least in part upon said content attribute." The applicant therefore respectfully requests that the rejection of these claims be withdrawn.

In view of the foregoing remarks, the applicant respectfully requests reconsideration and allowance of claims 2, 3, 5-10, 12-79, 89-104, and 108-118.

Respectfully submitted,



Kurt Rohlfs
Reg. No. 54,405
Tel No.: (503) 227-5631